

EXHIBIT B

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OF COUNSEL:
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By ECF

Hon. Joanna Seybert
United States District Judge
100 Federal Plaza
Central Islip, New York 11722

Re: *United States v. Hatfield et al.*
Indict. No. CR-06-550 (JS)

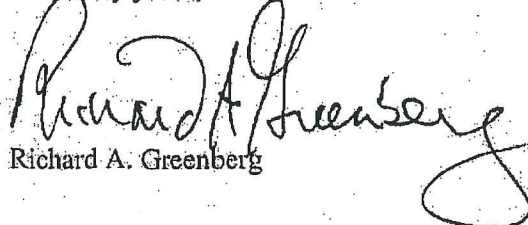
Dear Judge Seybert:

I am one of the lawyers representing David Brooks in post-trial proceedings. I received today a copy of a letter addressed to me and Tai Park, Esq., another of Mr. Brooks's lawyers, which the government inexplicably filed publicly today, informing us for the first time that the government has been investigating for more than six months an allegation that Mr. Brooks has "discussed physically harming [Your Honor], current and former members of the prosecution team and current and former members of the defense team."

The government attorney who authored the government's letter, Assistant United States Attorney Patrick Sinclair, unequivocally represented yesterday to Gerald Shargel, Esq., and today to Mr. Park and me that, despite its lengthy investigation, the government has uncovered "no credible evidence" to support the inflammatory and prejudicial statements the government has been investigating. The government has refused, however, to state in writing that it has uncovered no credible evidence to support the allegations because, in AUSA Sinclair's words, he considers the formulation set forth in his letter of today's date, i.e., "[t]he government does not intend to offer any evidence concerning the alleged threats in this matter," to imply as much.

Because we believe the government's letter is ambiguous, and has the potential to prejudice Mr. Brooks on the eve of his sentencing, we submit this letter to clarify the situation as we understand it. Thank you for your consideration of this matter.

Very truly yours,


Richard A. Greenberg

cc: AUSA Patrick Sinclair (by ECF)
All Brooks Defense Counsel (by ECF)